

REMARKS

The last Office Action has been carefully considered.

It is noted that claims 1-13 are rejected under 35 U.S.C. 103 over Jomed Implantable/DE 29701758 U1 in view of Lang USPN 5,304,132.

After carefully considering the Examiner's grounds for the rejection of the claims over the art, applicant has canceled claim 2 and amended claim 1, the broadest claim on file, to more clearly distinguish the present invention from the references.

Also, applicant has added claim 14 which defines the inventive device of the amended claim 1 in combination with the guiding wires.

Claims 1 and 14 define that in the device for implanting into a body vessel, the balloon catheter on which the stent is premounted has a first hollow chamber for passing a first guiding wire that exits in a center of the increased opening from the first hollow chamber and the stent, and the other longitudinal chamber is extending along a longitudinal axis of the catheter and formed so that a further guiding wire exits at a tip of the balloon catheter.

Turning now to the references and particularly to the German reference 297 01 758, it is respectfully submitted that this reference discloses a multi cellular stent. However, it does not teach the new features of present invention. The patent to Jang discloses a device which is also different. This reference discloses a steerable catheter 40 which has a first balloon 42 and an associated first lumen 54 which provides a fluid passage way between the proximal end 46 of the catheter 40 and the interior of the first balloon 42. In addition, the catheter 40 has a second balloon 62 and an associated second lumen 66 to provide a fluid communication between the proximal end 46 of the catheter 40 and the second balloon 62 as described in column 10, lines 62 to column 11, line 35. Finally, the catheter 40 has a catheter shaft 50 which is provided with a guide wire lumen 60 through which a steerable guide wire can be passed, as described in column 11, lines 5-8. In the introductory portion of the detailed description, column 9, lines 58-47, it is disclosed that the guide wire lumen extends through or past all of the balloons.

While the patent to Jang discloses the above mentioned features, it does not disclose a hollow chamber which is comparable to the hollow chamber 33 of the present invention and which extends in the region of the balloon 42 for passing a second guide wire 34 that exits from the hollow chamber 43 in the region of the increased opening 22. The patent to Jang discloses only one guide wire, while the two lumens discussed in the

office action by the Examiner are provided exclusively for a fluid communication, as explained in this patent in column 13 lines 52-56.

Thus, it is believed to be clear that this reference does not teach the new features of present invention as defined in the amended claim 1 and the second independent claim 14.

As for the combination of the references, it is respectfully submitted that if a person of ordinary skill in the art would succeed in mounting a stent disclosed in the German reference on one or both balloon disclosed in the Jang patent, such a combination would not lead to the applicant's invention and its features defined in claims 1 and 14. Any combination of the references would lead only to such a device which would not include the new features of the present invention.

It is therefore respectfully requested that claims 1 and 14 should be considered as patentably distinguishing over the art and should be allowed.

In connection with the Examiner's formal objections, applicant has amended the specification. As for the requirement to correct the drawings, it is respectfully requested to hold this requirement in abeyance until allowance of the present application.

Reconsideration and allowance of present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Any costs involved should be charged to the deposit account of the undersigned (No. 19-4675). Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 516-549-4700).

Respectfully submitted,



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